

**NOTICE OF RULE ADOPTION—FINAL RULE**

**STATE OF MISSISSIPPI  
DEPARTMENT OF AGRICULTURE AND COMMERCE**

**P.O. Box 1609  
Jackson, MS 39215-1609  
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**Specific Legal Authority Authorizing the promulgation of  
Rule:** Miss. Code Ann. §69-51-1 et seq.

**Reference to Rules repealed, amended or suspended by the  
Proposed Rule:** Ethanol & Bio-Diesel Producer Payment  
Rules & Criteria

**Date Rule Proposed:** 3/1/06

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** Repayment Program administered by MDAC to provide incentive for ethanol and/or bio-diesel producers to utilize farm products grown in Mississippi, including derivatives and byproducts, biomass, or other farm resource commodities.

**The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.**

An oral proceeding was held on this rule:

Date:  
Time:  
Place: .

X An oral proceeding was not held on this rule.

**The Agency has considered the written comments and the presentations made in any oral proceedings, and**

X This rule as adopted is without variance from the proposed rule.

This rule as adopted is differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are: Within the scope of the matter in the notice of proposed rule adoption, The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

**Effective Date of Rule:** 4/27/06

Rickey Gray, Deputy Commissioner

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**Signature and Title of Person Submitting Rule for Filing**